

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

-----X  
MIKE COSTELLO,

Plaintiff,

v.

MEYTEX CAFE, INC.,  
a New York corporation  
d/b/a MEYTEX LOUNGE,  
and LINCOLN FIVE REALTY, LLC,  
a New York limited liability company,

Defendants.  
-----X

Civil Action No.: 11 Civ. 0285 (SJ) (JMA)  
ECF CASE

**STIPULATION FOR VOLUNTARY  
DISMISSAL WITH PREJUDICE AS TO  
DEFENDANT LINCOLN FIVE  
REALTY, LLC, ONLY**

The plaintiff, MIKE COSTELLO, by and through his undersigned counsel, and defendant LINCOLN FIVE REALTY, LLC, a New York limited liability company, by and through its undersigned counsel, and whereas as no party hereto is an infant or incompetent for whom a committee who has been assigned, and pursuant to the provisions of Rule 41(a)(1) of the Federal Rules of Civil Procedure, hereby stipulate to a voluntary dismissal against Defendant LINCOLN FIVE REALTY, LLC, only.

Dated this 7<sup>th</sup> day of April, 2011.

Respectfully submitted,



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s/Sterling Johnson, Jr.

~~HONORABLE~~ STERLING JOHNSON, JR.  
UNITED STATES DISTRICT JUDGE